

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference PA5198PCT.INT	FOR FURTHER ACTION		see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/GB2004/003481	International filing date (day/month/year) 13/08/2004	(Earliest) Priority Date (day/month/year) 14/08/2003	
Applicant NASIR, Muhammed Aslam			

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 9 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐

With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2.



Certain claims were found unsearchable (See Box II).

3.



Unity of invention is lacking (see Box III).

4. With regard to the **title**,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

- a. the figure of the **drawings** to be published with the abstract is Figure No. 1



as suggested by the applicant.



as selected by this Authority, because the applicant failed to suggest a figure.



as selected by this Authority, because this figure better characterizes the invention.

- b. ☐

none of the figures is to be published with the abstract.

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Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 25, 33
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

As a result of the prior review under R. 40.2(e) PCT,
no additional fees are to be refunded.

1. ☒ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☒ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-24, 25

an airway device, comprising:

- A) an airway tube
 - B) a non-inflatable cuff at the distal end of A)
 - and
 - C) hardness of the cuff material
-

2. claims: 26-32, 33

a method of manufacturing an airway device, comprising:

- A) an airway tube
 - B) a non-inflatable cuff at the distal end of A)
 - by
 - D) steps of moulding a liquid plastic material
-

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.2

Claims Nos.: 25, 33

Claims 25 and 33 attempt to define their subject-matter in relation to other parts of the application, contrary to the requirements of Rule 6.2 PCT. As these claims do not contain any technical features, no meaningful search can be performed (Article 17(2)(a)(ii) PCT).

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

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Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

An airway device (10) for human or animal use comprising an airway tube (11) having a distal end (13) and a proximal end (12), the distal end (13) of which is surrounded by a laryngeal cuff (14), wherein the cuff (14) is non-inflatable and is pre-formed in a shape such that a face region of the cuff (14) is adapted to fit snugly over the laryngeal inlet of a patient, and wherein the external profile of the tube is substantially uniform between the distal end (13) of the tube (11) where it starts to meet the cuff (14) and the proximal end (13) of the tube (11), and wherein the face region of the cuff (14) is formed from a material with a Shore hardness on the A scale of between 0 to 30.

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A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61M16/04

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61M

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 389 272 A (BRAIN ARCHIBALD IAN JEREMY) 26 September 1990 (1990-09-26) column 5, line 13 - column 8, line 24; figures 3,6	1-6, 8-13, 15-18, 20,21
A	WO 00/09189 A (BRAIN ARCHIBALD IAN JEREMY) 24 February 2000 (2000-02-24) page 10, line 25 - page 11, line 1 page 24, line 25 - page 25, line 1 page 32, line 2 - line 11 page 28, line 12 - line 23 ----- -/-	1,2,4-24

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

21 January 2005

Date of mailing of the international search report

15 02 2005

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 00/30706 A (AUGUSTINE MEDICAL INC ; AUGUSTINE SCOTT D (US); ARNOLD RANDALL CHARLES) 2 June 2000 (2000-06-02) page 8, line 19 - page 11, line 7; figure 1	1-5,13, 17,18, 20-24
X	----- US 5 988 167 A (KAMEN JACK M) 23 November 1999 (1999-11-23) column 1, line 55, paragraph 2 - page 45; figure 2	1-5, 10-12, 17-24
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A	----- US 3 734 100 A (BAZELL S ET AL) 22 May 1973 (1973-05-22) column 7, line 5 - line 27	1,2
A	----- EP 1 125 595 A (SMITHS GROUP PLC) 22 August 2001 (2001-08-22) paragraph [0011] - paragraph [0020]	26-32
A	----- US 5 391 248 A (BRAIN ARCHIBALD I J) 21 February 1995 (1995-02-21) column 7, line 30 - line 58	26-32
X,P, L	----- WO 2004/016308 A (NASIR MUHAMMED ASLAM) 26 February 2004 (2004-02-26) L: Priority page 10, line 8 - page 21, line 4	1-13, 17-24
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INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

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